

REMARKS

Claims 1-19 have been cancelled and rewritten as new claims 20-43 in order to better distinguish over the prior art.

The invention recited called for in new independent claims 20 and 32 are neither anticipated nor obvious over prior art documents cited in the Information Disclosure Statement dated December 28, 2004, and by the Examiner in the Office Action dated March 3, 2006, namely Hui-Chiu Chang , et al., The American Journal of Chinese Medicine, Vol. 30, Nos. 2 & 3, pgs. 307-314 (2002) (D1), H.K. Hsu et al., Kaohsiung J. Med. Sci., Vol. 19, No. 8, pgs. 385-390 (2003) (D2), Green, J., The Herbal Medicine-Maker's Handbook, A Home Manual, The Crossing Press (2000) (D3), and Luo et al., Fitoterapia, Vol. 71, pgs. 492-496, (2000) (D4).

Specifically, D1, which is a prior art document discussed on page 3 of the specification, discloses that aqueous extracts from the leaves of *Toona sinensis* are capable of suppressing proliferation of human lung adenocarcinoma cells A54, based on the disclosure of D1, the Examiner purports that extracts from leaves of *Toona sinensis*, such as those obtained according to the teachings of D1-D4, alone or in combination, would be effective in suppressing all types and sorts of tumor/cancer cells.

However, in the instant invention, the Applicants investigated the effect(s) of extracts from leaves of *Toona sinensis* upon different cancer cell lines from the urogynecological system, including a bladder cancer cell line T24, two ovarian cancer cell lines SKOV3 and PA-1, two cervical cancer cell lines HeLa and HeLa S3, and an endometrial cancer cell line RL95-2. It was

surprisingly found that among the tested cancer cell lines, only the bladder cancer cell and the ovarian cancer cell were susceptible to the extracts from leaves of *Toona sinensis* made according to this invention. In particular, please see Example 3 on page 22 and Example 5 on page 26 of the specification for results on bladder and ovarian cancer cells. Hence, the Examples provided in the specification clearly attest to the fact that the Examiner's aforesaid presumption is untenable. We are exploring the availability of data from the Applicants to corroborate the new and unexpected results concerning the treatment of bladder and ovarian cancer.

Furthermore, while both water and alcohol are common solvents widely used in extracting pharmacologically active substances from natural sources such as herbal plants, the manner of using these solvents results in the production of different extracts, the activities/effects of which are different and unpredictable, as evidenced by the examples provided in the specification, as well as the disclosures of D1-D4 cited by the Examiner. Therefore, the *prima facie* case of obviousness established by the Examiner in regard to the extract products and the preparation processes called for in pending claims 20-43 is not warranted.

Application No. 10/785,444
Response to Office Action dated March 3, 2006
Paper dated June 30, 2006
Attorney Docket No.0624-032551

In conclusion, the pending claims 20-43 recite methods of inhibiting the growth of ovarian and bladder cancer cells by administration of an extract from leaves of *Toona sinensis*. The cited references D1-D4 taken alone or in combination do not teach such methods of inhibiting the growth of ovarian and bladder cancer cells by administration of this extract. For this reason, the pending claims can be seen in condition for allowance. If any concern remains with the Examiner, the undersigned would very much appreciate a telephone call at the telephone no. listed below. Examination and allowance of pending claims 20-43 are respectfully requested.

Respectfully submitted,

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